



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**

(Implements RCW 34.05.310)

Do NOT use for expedited rule making

Agency: Agriculture

Subject of possible rule making: WAC 16-157-220

Statutes authorizing the agency to adopt rules on this subject: RCW 15.86.070

**Reasons why rules on this subject may be needed and what they might accomplish:** Applications for organic certification flood the Organic Food Program office in March of every year. The program is proposing to move the application deadline to February 1 to enable more time for processing applications prior to the growing season.

The organic producer fee schedule maximum fee is \$7,000 for \$7,000,000 in organic sales. The costs of providing inspections and certification to these operations exceeds the revenue received. The program is proposing to eliminate the caps on fees and establish a percentage fee for organic sales over \$7,000,000.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** The WSDA Organic Certification Program is accredited by the USDA National Organic Program. The subject of the rule will not affect the status of WSDA's accreditation. WSDA will provide the amended rules to USDA when the rule making process is finalized.

**Process for developing new rule (check all that apply):**

☐ Negotiated rule making

☐ Pilot rule making

☐ Agency study

☒ Other (describe) . The agency is developing the proposal in coordination with the WSDA Organic Advisory Board.

The Organic Advisory Board meetings are open to the public. Meeting agendas are available on the WSDA Organic Food Program web pages at [agr.wa.gov/foodanimal/organic](http://agr.wa.gov/foodanimal/organic)

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

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DATE  
June 22, 2005

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